



To the Honorable Council
City of Norfolk, Virginia

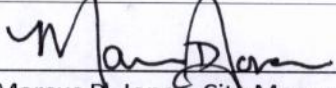
May 10, 2016

From: George M. Homewood, FAICP, CFM, Planning Director

Subject: **Special Exception to construct a mixed use development at 8131 Shore Drive – Harbor Villas**

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 5/6

Approved: 
Marcus D. Jones, City Manager

Item Number: **R-4**

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Special Exception to construct a mixed use development.
- IV. **Applicant:** Harbor Villas
- V. **Description:**
 - The site is currently zoned C-2 which allows mixed use development by special exception.
 - The *Zoning Ordinance* also requires that 50% of the first floor of a mixed use development must be a commercial use.
 - The applicant proposes to construct three buildings each with commercial on the first floor and residential above.
 - In total, 14 residential units will be provided with 5,250 square feet of commercial and a 1,950 square foot restaurant.
 - The site will be accessed from one entrance from Shore Drive.
- VI. **Public Schools Impacts**
 - School attendance zones include Little Creek Elementary School (86% utilization), Azalea Middle School (99% utilization) and Lake Taylor High School (87% utilization).
 - Approximately one school aged child could be generated by the proposed development (0.1 school aged children per unit).
 - Given the low number of potential students and the existing school capacity, no significant school impacts are anticipated.

Staff point of contact: Susan Pollock Hart at 664-4765, susan.pollock@norfolk.gov.

Attachments:

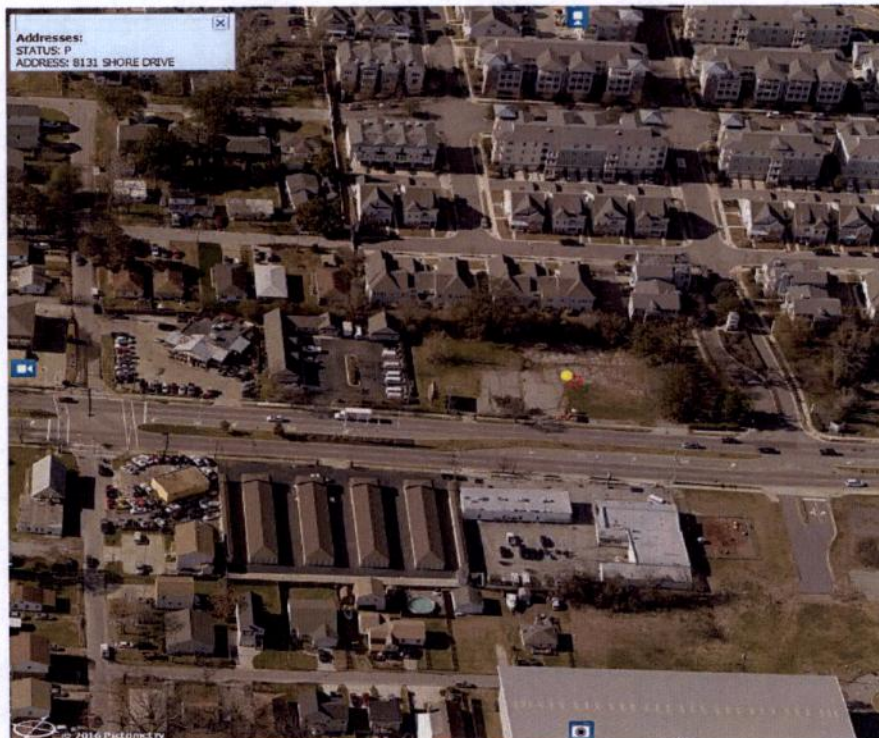
- Staff Report to CPC dated April 28, 2016 with attachments
- Proponents and Opponents
- Ordinance

Planning Commission Public Hearing: April 28, 2016

Executive Secretary: George M. Homewood, FAICP, CFM *GMH*

Staff: Susan Pollock Hart, CFM *SP*

Staff Report	Item No. 7	
Address	8131 Shore Drive	
Applicant	Harbor Villas by Albert Viola	
Request	Special Exception	Mixed use
Property Owner	Darren King	
Site Characteristics	Site Area	.9 Acres
	Zoning	C-2 (Corridor Commercial)
	Neighborhood	East Ocean View
	Character District	Coastal
Surrounding Area	North	Harbor Walk PD: Mix of single-family and multi-family
	East	C-2: Small commercial strip center
	South	C-2: Small commercial strip center; Cap'n Groovey's
	West	Harbor Walk PD: Mix of single-family and multi-family



A. Summary of Request

- The site is located on the west side of Shore Drive south of Harbor Walk Drive.
- The applicant proposes to develop this vacant land with 14 residential units with commercial on the first floor.

B. Plan Consistency

The proposed special exception is consistent with *plaNorfolk2030*, which designates this site as Commercial.

C. Zoning Analysis

i. General

- The site is currently zoned C-2 which allows mixed use development by special exception.
 - The *Zoning Ordinance* also requires that 50% of the first floor of a mixed use development must be a commercial use.
- The applicant proposes to construct three buildings each with commercial on the first floor and residential above.
 - In total, 14 residential units will be provided with 5,250 square feet of commercial and a 1,950 square foot restaurant.
 - The site will be accessed from one entrance from Shore Drive.

ii. Parking

- Parking is proposed to be located to the rear of the site.
- The site is located in the Suburban Character District which requires:
 - 1.75 parking spaces per residential dwelling unit (25 parking spaces)
 - One parking space per 250 square feet for retail sales/service (21 parking spaces)
 - One space per 150 square feet for eating/eating and drinking/entertainment establishments (13 parking spaces)
- The *Zoning Ordinance* allows shared parking which allows a reduction in parking when parking for multiple separate uses may be provided collectively.
 - A reduction in the parking required for each separate use may be allowed when the separate uses involve differing hours of operation, days of operation or other circumstances that make it unlikely that the separate uses will experience peak-hours of usage simultaneously.
 - In total, 57 parking spaces are provided and 59 are required.
 - The reduction of two parking spaces under the shared parking concept is appropriate for this mixed use project.

iii. Flood Zone

- The property is in an AE Flood Zone and with a 7.6 foot Base Flood Elevation (BFE).
 - The finished floor of the proposed residential structure is required to be three feet above the BFE which is 10.6 feet.

- Parking and limed storage are allowed to be located below the finished floor.

D. Transportation Impacts

- Institute of Transportation Engineers figures estimate that that this proposed mixed use development including a restaurant, retail shops and 14 apartment units will generate 566 new vehicle trips per day.
- Shore Drive near the site is not identified as a severely congested corridor in either the AM or PM peak hours in the current update to regional Hampton Roads Congestion Management analysis.
- The site is near transit service with Hampton Roads Transit bus routes 1 (Granby) operating adjacent to the site.
- Shore Drive adjacent to the site is an identified priority corridor in the City of Norfolk Bicycle and Pedestrian Strategic Plan.

E. Historic Context and Impacts

The site is currently vacant and is not located in any local, state or federal historic district.

F. Public School Impacts

- School attendance zones include Little Creek Elementary School (86% utilization), Azalea Middle School (99% utilization) and Lake Taylor High School (87% utilization).
- Approximately one school aged child could be generated by the proposed development (0.1 school aged children per unit).
- Given the low number of potential students and the existing school capacity, no significant school impacts are anticipated.

G. Impact on the Environment

- As a new development, it will have to complete the Site Plan Review Process with all the standards set forth in the *Zoning Ordinance*.
- The proposed project will be required to fully comply with the city's stormwater management provisions.

H. Impact on Surrounding Area/Site

- The site is surrounded by multi-family and commercial uses.
- The addition of a multi-family development would not have a negative impact on the surrounding land uses.

I. Payment of Taxes

The owner of the property is current on all real estate taxes.

J. Civic League

A letter was sent to the East Ocean View Civic League on March 15.

K. Communication Outreach/Notification

- Legal notice was posted on the property on March 22.

- Letters were mailed to all property owners within 300 feet of the property on March 18.
Legal notification was placed in *The Virginian-Pilot* on April 14 and 21.

L. Recommendation

Staff recommends that the special exception be **approved** subject to the following conditions:

1. The property shall be developed substantially in conformance with the site plan and elevations.
2. The maximum number of dwelling units shall not exceed 14.
3. The elevations shall be reviewed and approved through the Design Review Process.

Attachments

Zoning Map
Location Map
Application
Letter to East Ocean View Civic League
Letter to the Virginia Beach Planning Department
Letter of support from the East Ocean View Civic League
Letter of support from the Harbor Walk Condominium Association and Harbor Walk II at East Beach Condominium Resident Association

Proponents and Opponents


Proponents

Albert Viola
205 b 60th Street
Virginia Beach, VA 23451

Thomas Palmatier
4261 Harbor Walk Avenue
Norfolk, VA 23518

Opponents

None

Form and Correctness Approved: 

Contents Approved: 

By 

Office of the City Attorney

By 

DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT MIXED USES ON PROPERTY LOCATED AT 8131 SHORE DRIVE.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to permit mixed uses on property located 8131 Shore Drive. The property which is the subject of this Special Exception is more fully described as follows:

Property fronting 250 feet, more or less, along the western line of Shore Drive beginning 60 feet, more or less, from the southern line of Harbor Walk Avenue and extending southwardly; premises numbered 8131 Shore Drive.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) Not more than 14 residential dwelling units shall be located on the property.
- (b) The site shall be developed to provide no fewer than 57 new parking spaces on the site, in accordance with the proposed conceptual site plan attached hereto and marked as "Exhibit A."
- (c) Prior to the issuance of any building permit, the exterior elevations, materials, and fenestration for each building must be reviewed and approved in accordance with the city's design review process
- (d) The property shall be improved generally in accordance with the conceptual site plan attached hereto and marked as "Exhibit A," subject to any revisions required by the city to be made during the Site Plan Review, building permit plan review,

and design review processes.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

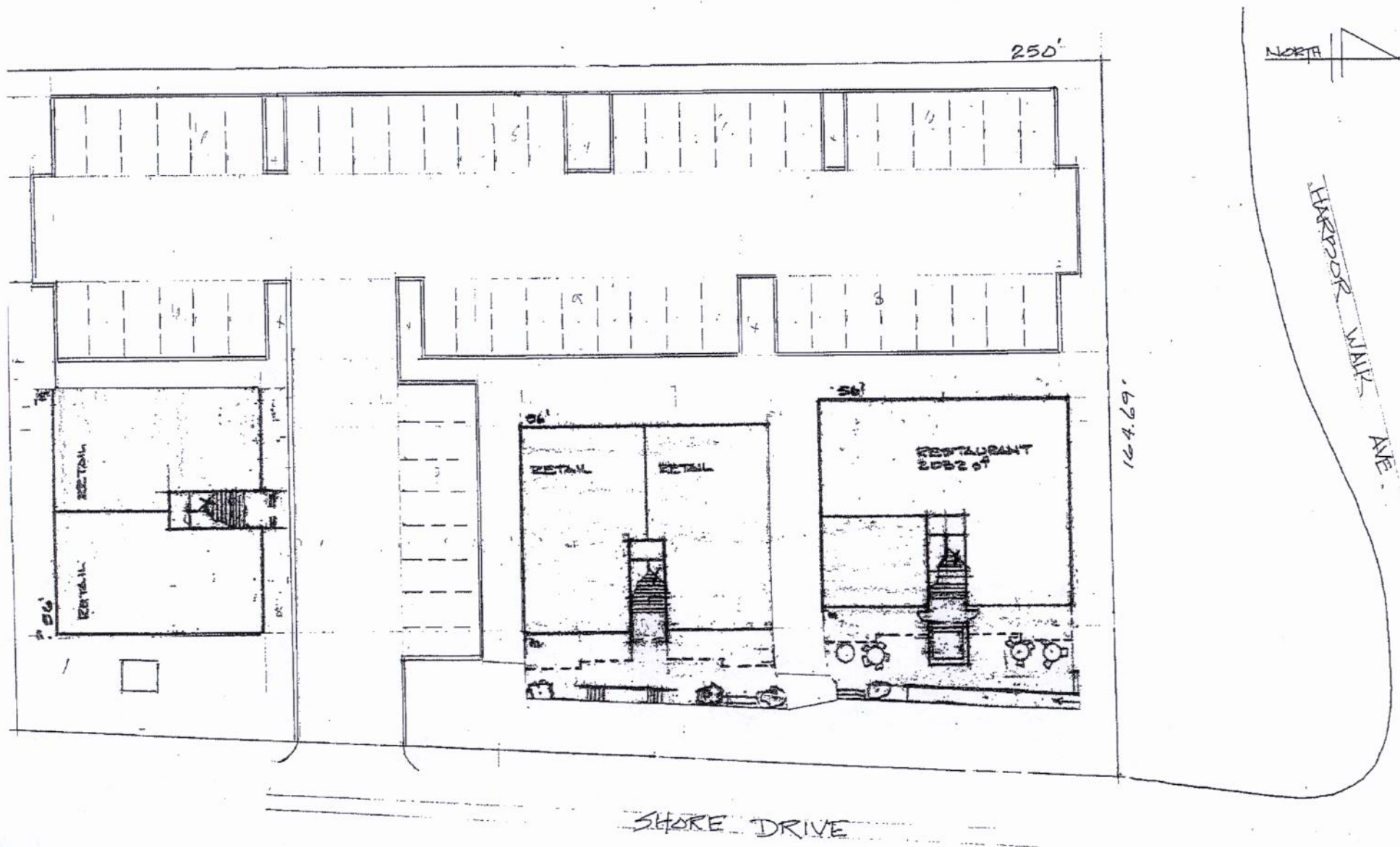
- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted general plan and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause

substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;

- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:
Exhibit A (2 pages)

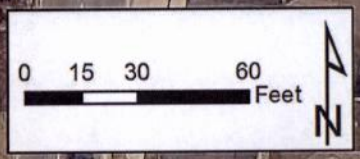


Location Map

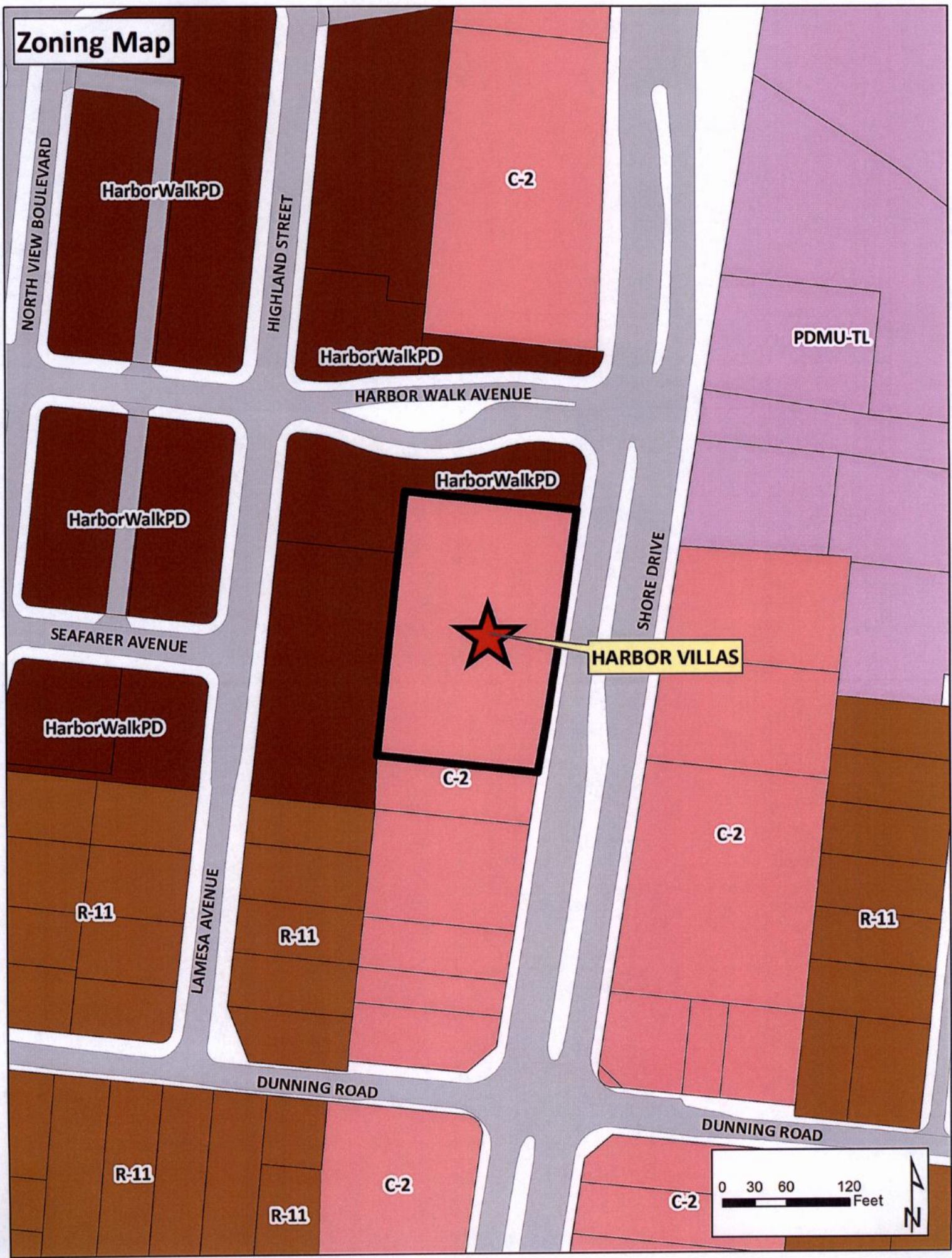
HARBOR WALK AVENUE

HARBOR VILLAS

SHORE DRIVE



Zoning Map



HarborWalkPD

C-2

PDMU-TL

HarborWalkPD

HARBOR WALK AVENUE

HarborWalkPD

SEAFARER AVENUE

HarborWalkPD

R-11

LAMESA AVENUE

R-11

HarborWalkPD

C-2

HARBOR VILLAS

C-2

R-11

DUNNING ROAD

R-11

C-2

R-11

DUNNING ROAD

C-2

0 30 60 120 Feet



**APPLICATION
SPECIAL EXCEPTION**

Special Exception for: Mixed Use

Date of application: _____

DESCRIPTION OF PROPERTY

Property location: (Street Number) 8131 (Street Name) Shore Drive

Existing Use of Property Vacant

Current Building Square Footage 0

Proposed Use Mixed use commercial 1st floor
14 Residential 2/3/4 floor

Proposed Square Footage 7200 sq Retail/commercial 14800 residential

Proposed Hours of Operation:

Weekday From 10 To 9

Friday From 10 To 9

Saturday From 10 To 9

Sunday From 10 To 9

Trade Name of Business (If applicable) _____

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised September, 2015)

Application
Special Exception
Page 2

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) Viola (First) Albert (MI) _____

Mailing address of applicant (Street/P.O. Box): 2056 60th St.

(City) Norfolk (State) VA (Zip Code) 23457

Daytime telephone number of applicant () 757 435 2919 Fax () _____

E-mail address of applicant: builderman67@aol.com

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) Viola (First) Albert (MI) _____

Mailing address of applicant (Street/P.O. Box): _____

(City) Same (State) _____ (Zip Code) _____

Daytime telephone number of applicant () _____ Fax () _____

E-mail address of applicant: _____

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) Whitman LLC (First) _____ (MI) _____

Mailing address of property owner (Street/P.O. box): 2056 60th St.

(City) Norfolk (State) VA (Zip Code) 23457

Daytime telephone number of owner 757 435 2919 email: _____

Application

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised September, 2015)

CIVIC LEAGUE INFORMATION

Civic League contact: EOV John Green

Date(s) contacted: _____

Ward/Super Ward information: _____

REQUIRED ATTACHMENTS:

- ✓ Required application fee, **\$355.00** (if check, make payable to the City of Norfolk).
 - Application fee includes a non-refundable \$5 technology surcharge.
- ✓ One 8½ x 14 inch or 11 x 17 inch copy of a physical survey, drawn to scale and showing site conditions and improvements (including portions of the right-of-way to the curb line):
 - Existing and proposed building structures
 - Driveways
 - Parking
 - Landscaping
 - Property lines (see attached example)
- ✓ One 8 ½ x 14 inch or 11 x 17 inch copy of a conceptual site plan drawn to scale and showing all proposed site improvements, landscaping, drive aisles and parking with dimensions, and proposed changes to parcel/property lines (including lease lines) if applicable.

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Albert Viole Sign: [Signature] / 3 / 110 / 126
(Property Owner) (Date)

Print name: _____ Sign: _____ / _____ / _____
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: _____ Sign: _____ / _____ / _____
(Authorized Agent Signature) (Date)

DEPARTMENT OF CITY PLANNING

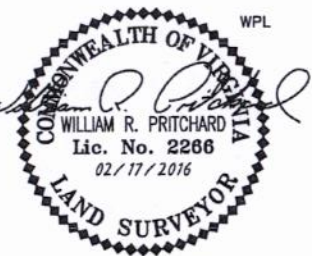
810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised September, 2015)

THIS IS TO CERTIFY THAT ON FEBRUARY 11, 2016, WE SURVEYED THE PROPERTY SHOWN ON THIS PLAT AND THAT THE PROPERTY LINES OF RECORD AS SHOWN IN MAP BOOK 58, PAGE 16 AND THE WALLS OF THE BUILDINGS ARE AS SHOWN ON THIS PLAT. THE BUILDINGS STAND WITHIN THE SAID PROPERTY LINES AND THERE ARE NO VISIBLE ENCROACHMENTS OF OTHER BUILDINGS ON THE PROPERTY, EXCEPT AS SHOWN.

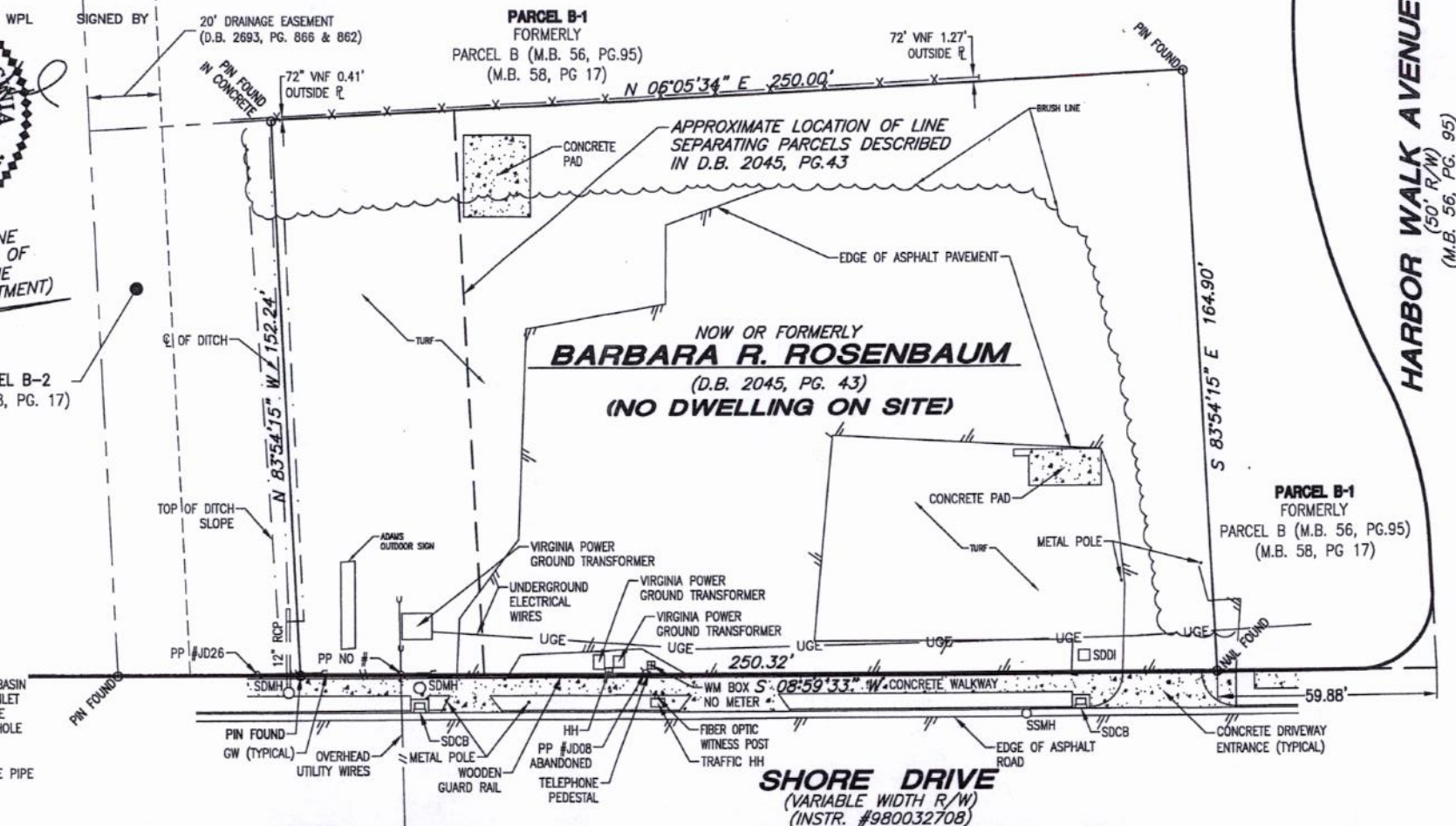


VIRGINIA STATE PLANE
COORDINATE SYSTEM OF
1983, SOUTH ZONE
(1994 H.A.R.N. ADJUSTMENT)

PARCEL B-2
(M.B. 58, PG. 17)

LEGEND

- | | |
|--------|--------------------------|
| N | NORTH |
| S | SOUTH |
| E | EAST |
| W | WEST |
| PL | PROPERTY LINE |
| PG. | PAGE |
| M.B. | MAP BOOK |
| CL | CENTER LINE |
| PP | POWER POLE |
| WM | WATER METER |
| VNF | VINYL FENCE |
| HH | HAND HOLE |
| GW | GUY WIRE |
| SDCB | STORM DRAIN CATCH BASIN |
| SDDI | STORM DRAIN DROP INLET |
| SDMH | STORM DRAIN MANHOLE |
| SSMH | SANITARY SEWER MANHOLE |
| R/W | RIGHT OF WAY |
| INSTR. | INSTRUMENT |
| RCP | REINFORCED CONCRETE PIPE |
| D.B. | DEED BOOK |



PHYSICAL SURVEY

8131 SHORE DRIVE
NOW OR FORMERLY BARBARA R. ROSEBAUM (D.B. 2045, PG.43)
AS SHOWN ON PLAT ENTITLED
SUBDIVISION PLAT OF
HARBOR WALK PARCEL B
PLAT RECORDED IN MAP BOOK 58, PAGE 16, IN THE CLERK'S OFFICE
OF THE CIRCUIT COURT OF THE CITY OF NORFOLK, VIRGINIA
NORFOLK, VIRGINIA
EXCLUSIVELY For
ALBIE VIOLA

SCALE: 1" = 30'

NOTE: THIS PROPERTY IS LOCATED IN THE CHESAPEAKE BAY PRESERVATION AREA (CBPA) AND IS SUBJECT TO CERTAIN DEVELOPMENT REQUIREMENTS AND LIMITATIONS. NO TREE REMOVAL, LAND DISTURBING ACTIVITY OR CONSTRUCTION ACTIVITY CAN BE COMMENCE WITHOUT PRIOR APPROVAL FROM THE CITY OF NORFOLK.

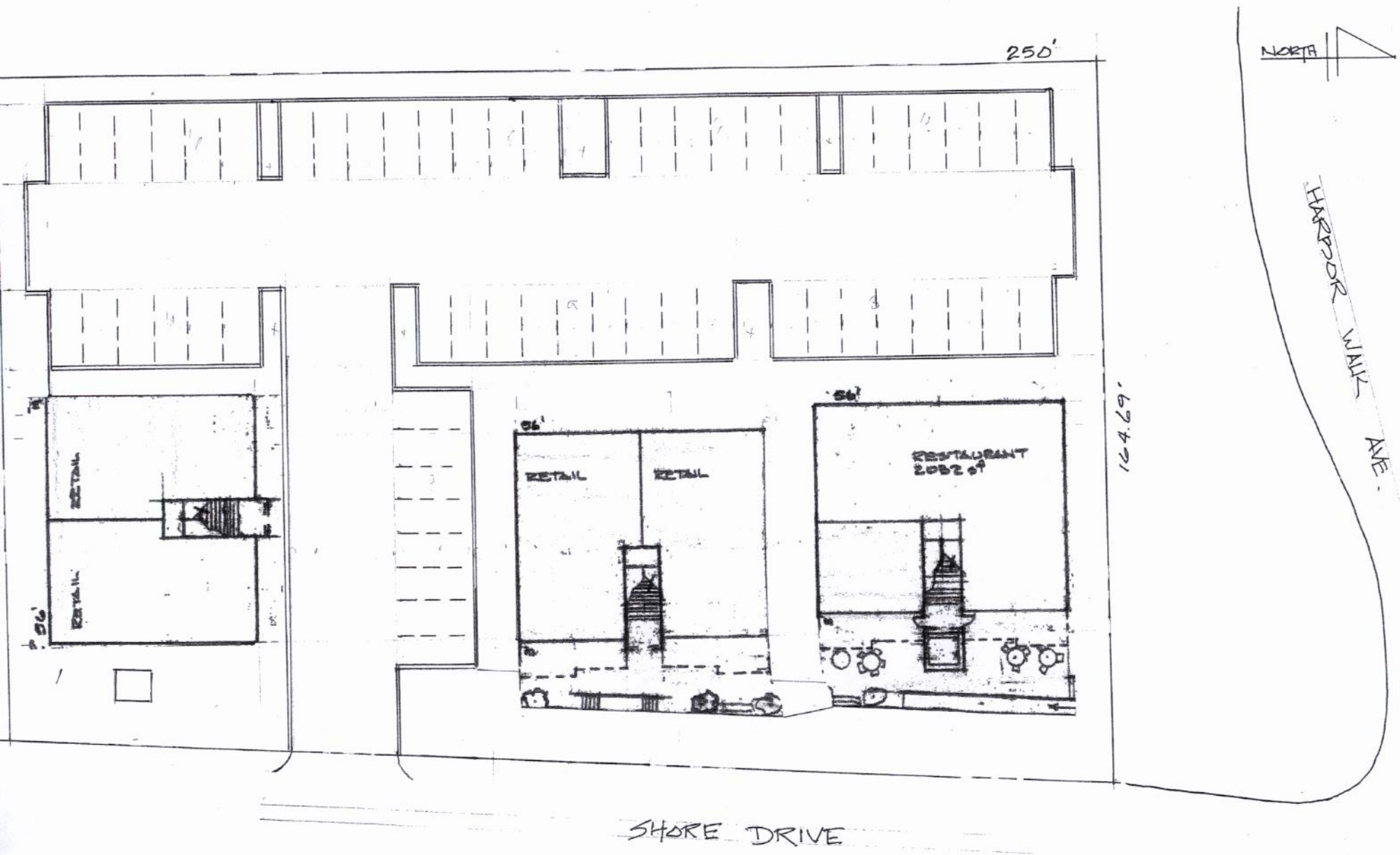
NOTE: ALL EASEMENTS AS SHOWN HEREON (UNLESS OTHERWISE NOTED) HAVE BEEN DEDICATED TO THE CITY OF NORFOLK, VIRGINIA FOR THE INSTALLATION AND/OR MAINTENANCE OF UTILITIES AND/OR DRAINAGE FACILITIES.

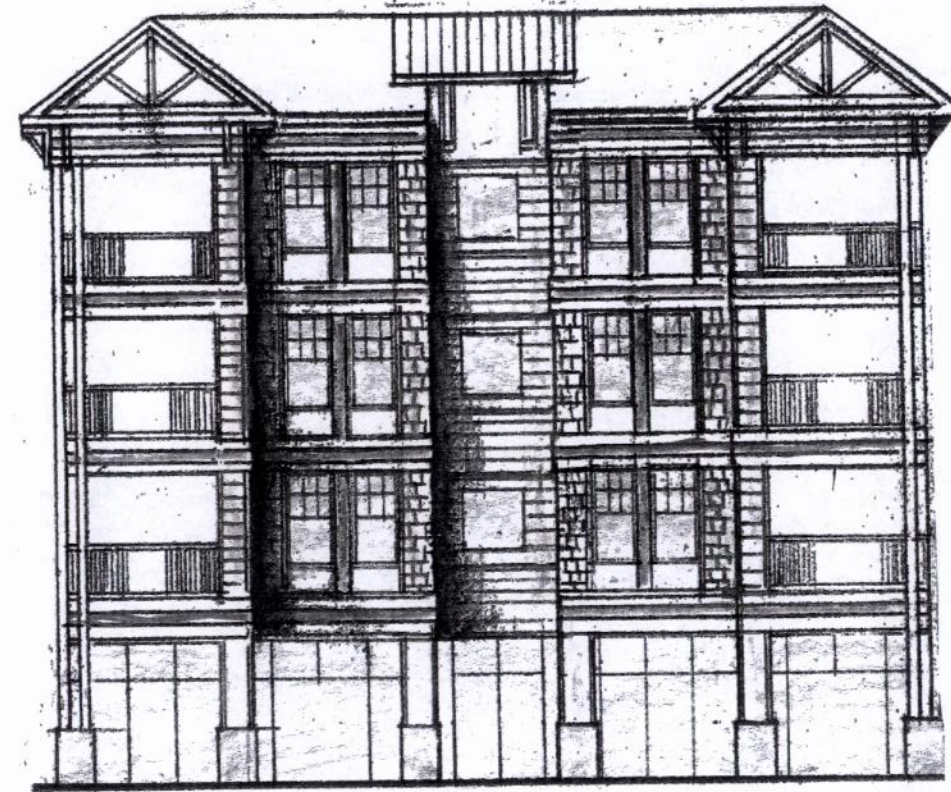
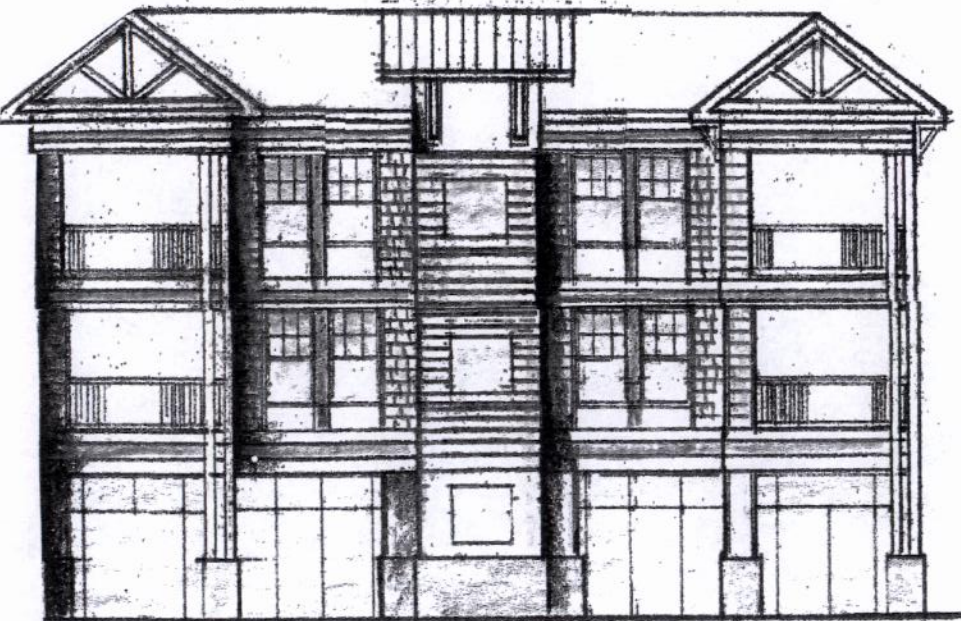
FLOOD INFORMATION: THE PROPERTY SHOWN HEREON APPEARS TO FALL WITHIN FLOOD ZONE AE (ELEVATION 7.6) (BASE FLOOD ELEVATIONS DETERMINED) AS SHOWN ON F.E.M.A.'S FLOOD INSURANCE RATE MAP (F.I.R.M.) FOR THE CITY OF NORFOLK, VIRGINIA, COMMUNITY PANEL NO. 5101040070F DATED SEPTEMBER 2, 2009.

WPL IS NOT A PARTY IN DETERMINING THE REQUIREMENTS FOR FLOOD INSURANCE ON THE PROPERTY SHOWN HEREON. THIS SURVEY DOES NOT IMPLY THAT THIS PROPERTY WILL OR WILL NOT BE SUBJECT TO FLOODING. FOR FURTHER INFORMATION, CONTACT THE LOCAL COMMUNITY FLOOD OFFICIAL. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT SHOW ANY/ALL EASEMENTS OR RESTRICTIONS THAT MAY AFFECT SAID PROPERTY AS SHOWN. THIS PLAT DOES NOT INTEND TO REPRESENT A SUBDIVISION OF LAND.



Landscape Architecture
Land Surveying
Civil Engineering
wplsite.com 757.431.1041
242 WESTINGHOUSE DRIVE, SUITE 8 VIRGINIA BEACH, VA 23462





ZONING INFORMATION

LOCATION: SHORE DRIVE, NORFOLK, VIRGINIA
 PROPOSED USE: MIXED USE: COMMERCIAL/CONDOMINIUMS

1/8" = 1'-0"

1. ZONING: C-2
2. PARCEL SF: 39,581 SF
3. COMMERCIAL SF: 5,250 SF
4. RESTAURANT SF: 1,950 SF
5. RESIDENTIAL UNITS: 14
6. PARKING REQUIRED:
 - COMMERCIAL @ 250/SF = 21
 - RESTAURANT @ 150/SF = 13
 - RESIDENTIAL UNITS @ 1.75 EACH = 25
7. PARKING SPACES PROVIDED: 57
8. SIZE OF UNITS:
 - TYPE A: KITCHEN, LIVING, DINING, DECK, MASTER BEDROOM, BATHROOM, WIC, BEDROOM 2, FULL BATH, LAUNDRY.
 - TYPE B: LEVEL 1 - KITCHEN, LIVING, DINING, DECK, MASTER BEDROOM, BATHROOM, WIC, BEDROOM 2, FULL BATH.
 - LEVEL 2 - BEDROOM 3, BATHROOM, FAMILY ROOM, STORAGE, LAUNDRY.
9. GROSS BUILDING COVERAGE: 8,968 SF
10. IMPERVIOUS SURFACE (TO INCLUDE PARKING, WALKS, BLDG FOOTPRINT): 25,730 SF

FRONT ELEVATION

Pollock, Susan

From: Straley, Matthew
Sent: Wednesday, March 16, 2016 12:38 PM
To: 'greenie4720@yahoo.com'
Cc: Smigiel, Thomas; Winn, Barclay; Ransom, Carlton; Pollock, Susan
Subject: new Planning Commission application
Attachments: HarborVillas.pdf

Mr. Greene,

Attached please find the following application for a special exception for mixed uses (residential above commercial) at 8131 Shore Drive.

The purpose of this request is to construct 18 dwelling units above 7,200 square feet of commercial/retail space.

The item is tentatively scheduled for the April 28, 2016 Planning Commission public hearing.

Staff contact: Susan Pollock Hart at (757) 664-4765, susan.pollock@norfolk.gov

Thank You.

Matthew Straley
GIS Technician II



City Planning
810 Union Street, Suite 508
Norfolk, VA 23510
757-664-4769

Connect with us:
www.norfolk.gov





25 April 2016

City of Norfolk
810 Union Street
Director of Planning and Community Development, Suite 508
City Hall Building
Norfolk, VA 23510

Subject: Request for rezoning and development

I am pleased to give my support and that of the East Ocean View Civic League (EOVCL) to Mr. Albert Viola's application for a special exception for mixed uses (residential above commercial) at 8131 Shore Drive, called "Harbor Village." The item is tentatively scheduled for the April 28, 2016 Planning Commission public hearing. There are two differences, as we understand the proposal, however. First, the request I received is for "18" units; Mr. Viola clarified at our meetings the correct number is "14." Second, the diagrams provided reflect streetside parking and buildings in the rear (closer to Harbor Walk); in fact, the buildings will be streetside so as to be consistent with the City's new zoning ordinances.

Mr. Viola attended the EOVC Board of Directors meeting 31 March to brief his proposal, which includes both condominiums and a possible first floor restaurant and other commercial entities. The Board unanimously supported. He then attended the EOVC meeting 7 April; and again presented the proposal for 14, vice 18, streetside units. He indicated at that time he had attended and briefed a Harbor Walk Homeowners forum subsequent to the 31st and they enthusiastically embraced the proposal. At our EOVC meeting, the only question asked was whether Harbor Village residents would be able to exit onto Harbor Walk Avenue, vice solely onto Shore Drive, and the answer is "no." The Civic League *does* believe there will need to be a stop light installed at the corner of Harbor Walk Avenue and Shore Drive, if not for this development, than for the one previously approved and soon to begin construction across the street, Taylor's Landing.

Attendees believed Mr. Viola answered their concerns satisfactorily and the request for mixed use was then voted on and approved unanimously, 44-0. Mr. Viola continues to be an advocate for a revitalized East Ocean View.

Sincerely,

//Original Signed//

John M. Greene, Jr.
President, East Ocean View Civic League

Cc: Councilman Tommy Smigiel

Mr. Matt Hales

Mr. Martin Thomas

Ms. Andria McClellan

Ms. Susan Pollock

Ms. Ann Bolen

April 24, 2016

City of Norfolk
City Planning Commission

The Harbor Walk neighborhood at 8141 Shore Drive, is comprised of two resident Associations, the Harbor Walk Condominium Resident Association and the Harbor Walk II at East Beach Condominium Resident Association, with a total of 238 residential units. The following represents the official position of both Associations relating to the request by the developer for a special exception for mixed uses (residential above commercial) at 8131 Shore Drive to construct 18 dwelling units above 7,200 square feet of commercial/retail space.

- The Associations appreciate the developer, Mr. Albie Viola meeting with them to provide an overview of the proposed *Harbor Villas* development.
- The Associations are supportive of appropriate development efforts in the East Beach area and specifically close to Harbor Walk and Harbor Walk II at East Beach.
- The Associations believe strongly that a traffic light must be installed at the corner of Shore Drive and Harbor Walk Avenue. The proposed development, especially when combined with the additional residences being built directly across from Harbor Walk on the east side of Shore Drive, will exacerbate the already treacherous access to Harbor Walk Avenue off Shore Drive. The developments will increase both vehicle and foot traffic, as well as the number of U-turns at the intersection of Shore Drive and Harbor Walk Avenue. The installation of a traffic light at the intersection of Harbor Walk Avenue and Shore Drive is a matter of safety to our residents, the patrons of the businesses in the development, and to drivers and pedestrians on Shore Drive.
- The Associations are concerned about the composition and structure of any fencing or barriers between the development and our property. We are also concerned that Harbor Walk will become a "parking lot" for the development with increased pedestrian traffic through our yards.

Specifically we request:

- * The fence line to the rear of the development must be extended to the corner of the property.

- * A fence or impenetrable hedge be placed on the boundary line between the development and the Harbor Walk entrance to preclude pedestrians cutting through.

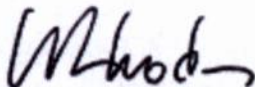
- * That the existing foliage be retained to the maximum extent possible or replaced with appropriate landscaping to preserve the esthetics of the Harbor Walk entrance and the current sight and sound barriers between the development and the residences on Highland Street.

* That adequate parking be provided for the development. To ensure maximum usage of the available spaces, only the condo residents should be allowed to have reserved parking spaces. The other spaces should be available both to the daytime business tenants and to the proposed restaurant.

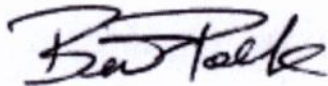
* That there be no access from the *Harbor Villas* development (pedestrian or vehicle) other than by Shore Drive.

We respectfully request that this document be made part of the record of the April 28, 2016 City Planning Commission meeting and that the position of the two Resident Associations be strongly considered by the Commission. This document was provided to the developer, Mr. Viola, in advance of the meeting.

Respectfully,



Christopher Rhoden
President
Harbor Walk Condominium Resident Association



Bert Polk
President
Harbor Walk II at East Beach Condominium Resident Association

March 28, 2016

City of Virginia Beach
Department of Planning and Community Development
Barry Frankenfield
2405 Courthouse Drive, Building 2, Room 115
Virginia Beach, VA 23456

Dear Mr. Frankenfield,

The Norfolk Department of City Planning has recently received an application by **Albert Viola (Harbor Villas)**, for a special exception to operate a mixed use development at 8131 Shore Drive, and located within one-half mile of the western corporate boundary of the City of Virginia Beach.

This item is tentatively scheduled for the Norfolk City Planning Commission public hearing to be held on April 28, 2016 at 2:30 p.m. in the City Council Chamber, 11th Floor, City Hall Building, Civic Center, Norfolk, Virginia.

If you would like additional information on the request, you may contact applicant, Albert Viola at (757) 435-2919, or by e-mail at buildrmen67@aol or you may telephone Susan Pollock on my staff at (757) 664-4765, susan.pollock@norfolk.gov. A copy of the complete application is enclosed.

This notice is being sent in accordance with the advertising requirements of the Code of Virginia, section 15.2-2204(c); pertaining to certain land use applications involving any parcel of land located within one-half mile of a boundary of an adjoining locality of the Commonwealth. Because this notice is within the 10-day period before the scheduled date indicated above, you are asked to acknowledge your acceptance and receipt of this actual notice, in accordance with Virginia Code section 15.2-2204(c), either by signing a copy of this letter or by separate correspondence sent to this office.

Sincerely,

Leonard M. Newcomb, III, CFM
Department of City Planning
Assistant Director

cc: Susan Pollock, CFM